

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17 are currently pending. Claim 17 is hereby added. Claims 1, 9 and 17 are independent and are hereby amended. In addition, claims 2, 3, 5, 6-8 and 10-16 are amended. No new matter has been introduced. Support for these amendments is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-4, 6-7, 9-12 and 14-15 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by U.S. Patent No. 5,841,740 to Fijita et al. (hereinafter, merely “Fijita”) in view of Japan patent no JP-9233374 to Tsubouchi et al. (hereinafter, merely “Tsubouchi”).

Claims 5 and 13 were rejected under 35 U.S.C. §103(a) over Fijita and Tsubouchi further in view of Japanese Patent No. JP 10-341389 (translation in U.S. Patent No. 6,434,323) to Hayashi.

Claims 8 and 16 were rejected under 35 U.S.C. §103(a) over Fijita and Tsubouchi further in view of U.S. Patent No. 5,995,471 to Sayama et al. (hereinafter, merely "Sayama").

Applicants respectfully traverse these rejections.

Claim 1 recites, *inter alia*:

"information file preparing means for preparing an information file relating to a first time position located forward with respect to an editing time period of the recording/reproducing material and a second time position located backward with respect to the editing time period; and

control means for controlling the recording/reproducing means to reproduce edited material from the first time position to the second time position of the recording/reproducing material on the basis of the information file." (emphases added)

As understood by Applicants, Fijita discloses an apparatus that provides audio and/or video data for editing to an editing apparatus. A control system controls the apparatus (1) based on the editing data input from an editing apparatus 50 (FIG. 1) and manages the recording regions of the series of audio and/or video data recorded in a hard disc array (30). Col. 6, lines 21-42.

In Fijita, video servers carry out editing processing of video/audio data, prepare file editing information (that is, a Virtual File List or VFL) including file name information and continuous data length information. The VFL is thus used to carry out editing processing. The digital video servers only reproduce VFL to read out, from respective hard discs, video/audio data that has been caused to undergo editing processing by making reference to the VFL at the time of reproduction processing without re-recording video/audio data onto the hard disc at the time of editing processing.

Thus, Fijita discloses a system for recording editing data using digital video servers to read out data from a hard disk array where the head starting position and the length of data being recorded is in terms of data blocks.

In contrast, claim 1 recites, “information file preparing means for preparing an information file relating to a first time position located forward with respect to an editing time period of the recording/reproducing material and a second time position located backward with respect to the editing time period.” Thus, a file is created that includes an entry to provide a time period prior to the edited data portion and a time period after the edited data portion. The first and second time positions are similar to the preroll and postroll commonly used when linear file editing is done with a conventional video tape recorder (VTR).

An advantage of the present invention is that the first and second time entries provide a user with a feel that is different from that of Fijita. The present invention provides an apparatus that prepares file editing information from a non-linearly accessible recording media that seems to the user more like the linear editing of a conventional VTR than that of Fijita. That is, the editing processing using digital video servers of Fijita is awkward for a user accustomed to the linear editing using a conventional VTR. Page 40, line 12 to page 41, line 6.

Tsubouchi, Hayashi and Sayama do not provide the elements missing from Fijita as discussed above. Thus, neither Fijita, Tsubouchi, Hayashi nor Sayama either alone or in combination teach or suggest each and every element recited in claim 1. In particular, none of the cited references disclose, “information file preparing means for preparing an information file relating to a first time position located forward with respect to an editing time period of the recording/reproducing material and a second time position located backward with respect to the editing time period” as recited in claim 1.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 9 and 17 are also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**


Claims 1-17 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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